Attorney's Docket No. 032405-0

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Stephen A. Yencho, et al.

Application No.: 09/687,216

Filed: October 12, 2000

IMPLANTABLE SUPERELASTIC For:

ANASTOMOSIS DEVICE



Group Art Unit: Unassigned

Examiner: Unassigned

#### INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

۱	X	No.	additional	fee for	submission	of:	an	IDS	is	required	1.
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- The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- A certification under 37 C.F.R. § 1.97(e) is also enclosed. [ ]
- A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth [] in 37 C.F.R. § 1.17(p) are also enclosed.
- Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due. [ ]
- A check in the amount of \$\_\_\_\_\_ is enclosed for the fee due. []

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Registration No. 38,699

P.O. Box 1404 Alexandria, Virginia 22313-1404 (650) 622-2300

Date: February 26, 2001

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Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, hereby the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

<b>U.S. Patent Documents</b>	<b>Date</b>	<u>Name</u>
3,254,650	06/07/66	Collito
3,519,187	07/07/70	Kapitanov, et al.
3,774,615	11/27/73	Lim, et al.
4,214,587	07/29/80	Sakura, Jr.
4,350,160	09/21/82	Kolesov, et al.
4,352,358	10/05/82	Angelchik
4,366,819	01/04/83	Kaster
4,368,736	01/18/83	Kaster
4,503,568	03/12/85	Madras
4,523,592	06/18/85	Daniel
4,553,542	11/19/85	Schenck, et al.
4,589,416	05/20/86	Green

U.S. Patent Documents	<u>Date</u>	<u>Name</u>
4,593,693	06/10/86	Schenck
4,607,637	08/26/86	Berggren, et al.
4,624,255	11/25/86	Schenck, et al.
4,624,257	11/25/86	Berggren, et al.
4,657,019	04/14/87	Walsh, et al.
4,665,906	05/19/87	Jervis
4,747,407	05/31/88	Liu, et al.
4,907,591	03/13/90	Vasconcellos, et al.
4,917,087	04/17/90	Walsh, et al.
4,917,090	04/17/90	Berggren, et al.
4,917,091	04/17/90	Berggren, et al.
5,062,842	11/05/91	Tiffany
5,119,983	06/09/92	Green, et al.
5,171,262	12/15/92	MacGregor
5,217,474	06/08/93	Zacca, et al.
5,234,447	08/10/93	Kaster, et al.
5,250,060	10/05/93	Carbo, et al.
5,304,220	04/19/94	Maginot
5,314,468	05/24/94	Ramos Martinez
5,336,233	08/09/94	Chen
5,354,302	10/11/94	Ko
5,366,462	11/22/94	Kaster, et al.
5,395,311	03/07/95	Andrews
5,443,497	08/22/95	Venbrux
5,456,712	10/10/95	Maginot
5,456,714	10/10/95	Owen
5,464,449	11/07/95	Ryan, et al.
5,478,354	12/26/95	Tovey, et al.
5,522,834	06/04/96	Fonger, et al.

Information Disclosure Statement Application No. 09/687,216 Attorney's Docket No. <u>032405-018</u> Page 3

<b>U.S. Patent Documents</b>	<b>Date</b>	<u>Name</u>
5,556,405	09/17/96	Lary
5,558,667	09/24/96	Yarborough, et al.
5,571,167	11/05/96	Maginot
5,643,340	07/01/97	Nunokawa
5,669,918	09/23/97	Balazs, et al.
5,676,670	10/14/97	Kim
5,693,088	12/02/97	Lazarus
5,695,504	12/09/97	Gifford, III, et al.
5,702,412	12/30/97	Popov, et al.
5,707,362	01/13/98	Yoon
5,707,380	01/13/98	Hinchliffe, et al.
5,709,335	01/20/98	Heck
5,709,693	01/20/98	Taylor
5,725,544	03/10/98	Rygaard
5,725,553	03/10/98	Moenning
5,732,872	03/31/98	Bolduc, et al.
5,797,920	08/25/98	Kim
5,814,073	09/29/98	Bonutti
5,817,113	10/06/98	Gifford, III, et al.
5,881,943	03/16/99	Heck et al.
5,893,369	04/13/99	LeMole
5,904,697	05/18/99	Gifford, III, et al.
5,921,995	07/13/99	Kleshinski
5,944,730	08/31/99	Nobles, et al.
5,947,363	09/07/99	Bolduc, et al.
5,957,363	09/28/99	Heck
5,976,159	11/02/99	Bolduc, et al.
6,007,544	12/28/99	Kim
6,022,367	02/08/00	Sherts

Information Disclosure Statement Application No. 09/687,216 Attorney's Docket No. 032405-018 Page 4

U.S. Patent Documents	<u>Date</u>	<u>Name</u>
6,113,612	09/05/00	Swanson, et al.
6,152,937	11/28/00	Peterson, et al.
6,165,185	12/26/00	Shennib, et al.
Foreign Patent Documents	<u>Date</u>	<b>Country</b>
WO 92/08513	05/29/92	PCT
WO 97/25002	07/17/97	PCT
WO 97/27898	08/07/97	PCT
WO 97/31575	09/04/97	PCT
WO 98/07399	02/26/98	PCT
WO 98/19618	05/14/98	PCT
WO 98/19625	05/14/98	PCT
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WO 98/19630	05/14/98	PCT
WO 98/19631	05/14/98	PCT
WO 98/19632	05/14/98	PCT
WO 98/19634	05/14/98	PCT
WO 98/19636	05/14/98	PCT
WO 98/30153	07/16/98	PCT
WO 98/42262	10/01/98	PCT
WO 98/47430	10/29/98	PCT
WO 98/55027	12/10/98	PCT
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WO 99/21491	05/06/99	PCT
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WO 99/38454	08/05/99	PCT
WO 99/45848	09/16/99	PCT -
WO 99/62406	12/09/99	PCT

Foreign Patent Documents	<u>Date</u>	<b>Country</b>
WO 99/62409	12/09/99	PCT
WO 99/63910	12/16/99	PCT
WO 99/65409	12/23/99	PCT
WO 00/09040	02/24/00	PCT
0517252	12/09/92	Europe
297 13 335.7	11/27/97	Germany

The documents are being submitted within 3 months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later, therefore no fee or certification is required under 37 C.F.R. § 1.97(b).

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Cindy A(Lynch

Registration No. 38,699

P.O. Box 1404 Alexandria, Virginia 22313-1404 (650) 622-2300

Date: February 26, 2001

SHEET 1 OF 5

INFO	PTO-1	ION	SURE	ATTORNEY'S DKT N 032405-018 . APPLICANT Stephen A. Yench FILING DATE October 12, 2000	o, et al.	APPLICATION NO. 199/687,216		
			S. PATENT DO	CUMENTS		DEMARK OF	FREE	
EXAMINER'S INITIALS	PATENT NO.	DATE		NAME	CLASS	SUBCLASS	FILING DATE	
INTIALO	3,254,650	06/07/66	Collito					
	3,519,187	07/07/70	Kapitanov, et	al.				
	3,774;615	11/27/73	Lim, et al.					
<del></del>	4,214,587	07/29/80	Sakura, Jr.					
	4,350,160	09/21/82	Kolesov, et a	l.	- 111		. ,	
4.00	4,352,358	10/05/82	Angelchik					
·	4,366,819	01/04/83	Kaster					
***	4,368,736	01/18/83	Kaster	/ \				
	4,503,568	03/12/85	Madras					
•	4,523,592	06/18/85	Daniel				1	
	4,553,542	11/19/85	Schenck, et a	al.	/			
	4,589,416	05/20/86	Green					
	4,593,693	06/10/86	Schenck					
	4,607,637	08/26/86	Berggren, et	al.				
	4,524,255	11/25/86	Schenck, et a	al.	1-1-			
	4,624,257	11/25/86	Berggren, et	al.				
- //2	4,657,019	04/14/87	Walsh, et al.  Jervis					
	4,665,906	05/19/87						
	4,747,407	05/31/88	Liu, et al.					
	4,907,591	03/13/90	Vasconcellos	, et al.				
	4,917,087	04/17/90	Walsh, et al.					
	4,917,090	04/17/90	Berggren, et	al.				
· · · · · · · · · · · · · · · · · · ·	4,917,091	04/17/90	Berggren, et	al.				
		FOR	EIGN PATENT	DOCUMENTS				
EXAMINER'S INITIALS	PATENT NO.	DATE	co	UNTRY	CLASS	SUBCLASS	Translation Yes No	
	OTHER DOC	UMENTS (In	cluding Author	, Title, Date, Perti	nent Pag	es, Etc.)		
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## INFORMATION DISCLOSURE CITATION

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ATTORNEY'S DKT NO.
032405-018

APPLICATION NO.
09/68/,216

EXAMINER'S		D-1449		, 2000	Unassign	icu	ے:
			U.S. PATENT DOCUMENTS		· V	EMARK (	FELO
INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING	DAT
	5,062,842	11/05/91	Tiffany				
	5,119,983	06/09/92	Green, et al.				
,	5,171,262	12/15/92	MacGregor				
	5,217,474	06/08/93	Zacca, et al.				
	5,234,447	08/10/93	Kaster, et al.				_
	5,250,060	10/05/93	Carbo, et al.				
	5,304,220	04/19/94	Maginot			1	
	5,314,468	05/24/94	Ramos Martinez			h	
	5,336,233	08/09/94	Chen	)	At		
	5,354,302	10/11/94	Ko (	$\setminus $			
. "	5,366,462	11/22/94	Kaster, et al.	V	\		
	5,395,311	03/07/95	Andrews			V	
•	5,443,497	08/22/95	Venbrux				
	5,456,712	10/10/95	Maginot				
	5,456,714	10/10/95	Owen				
	5,464,449	11/07/95	Ryan, et al.				
	5,478,354	12/26/95	Tovey, et al.				
	5,522,834	06/04/96	Fonger, et al.				
	5,556,405	09/17/96	Lary				
	5,558,667	09/24/96	Yarborough, et al.				
···	5,571,167	11/05/96	Maginot				
	5,643,340	07/01/97	Nunokawa				
		FC	REIGN PATENT DOCUMENTS				
EXAMINER'S INITIALS PATENT NO. DATE			COUNTRY	CLASS	SUBCLASS	Trans Yes	lation No

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SHEET 3 OF 5

# INFORMATION DISCLOSURE CITATION PTO-1449 U.S. PATENT DOCUMENTS ATTORNEY'S DKT NO. 032405-018 APPLICATION O32405-018 APPLICATION O32405-018 APPLICATION O32405-018 APPLICATION O32405-018 OBJOINT OCTOBER 12, 2000 APPLICATION O32405-018 ODJOINT OCTOBER 12, 2000 APPLICATION O32405-018 ODJOINT OCTOBER 12, 2000 ODJOINT OCTO

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		U	.S. PATENT DOCUMENTS		EMARK	
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DA
	5,669,918	09/23/97	Balazs, et al.			
	5,676,670	10/14/97	Kim			
	5,693,088	12/02/97	Lazarus			
	5,695,504	12/09/97	Gifford, III, et al.			
	5,702,412	12/30/97	Popov, et al.			
	5,707,362	01/13/98	Yoon			-
1700	5,707,380	01/13/98	Hinchliffe, et al.			
	5,709,335	01/20/98	Heck			
	5,709,693	01/20/98	Taylor			)
	5,725,544	03/10/98	Rygaard			
	5,725,553	03/10/98	Moenning		, M	
	5,732,872	03/31/98	Bolduc, et al.			
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	5,814,073	09/29/88	Bonutti			
	5,817,113	10/06/98	Gifford, III, et al.	/-		
	5,881,943	03/16/99	Heck, et al.			
	5,893,369	04/13/99	LeMole			
	5,904,697	05/18/99	Gifford, III, et al.			
	5,921,995	07/13/99	Kleshinski			
	5,944,730	08/31/99	Nobles, et al.			
	5,947,363	09/07/99	Bolduc, et al.			
	5,957,363	09/28/99	Heck			
	5,976,159	11/02/99	Bolduc, et al.			
		FOR	EIGN PATENT DOCUMENTS			
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translatio

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SHEET 4 OF 5

				ATTORNEY'S DKT N	APPLICATION NO.			
INFORMATION DISCLOSURE				032405-018		09/687,216	<u>/A</u>	
	CITAT			APPLICANT Stephen A. Yench	o, et al.	PA TA	6.	<u>=</u>
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EXAMINER'S INITIALS	PATENT NO.	DATE	N	IAME	CLASS	SUBCLASS	FILING	DATE
	6,007,544	12/28/99	Kim					
	6,022,367	02/08/00	Sherts					
	6,113,612	09/05/00	Swanson, et	al.				
	6,152,937	11/28/00	Peterson, et a	al.				
	6,165,185	12/26/00	Shennib, et a	l.				
		FOR	EIGN PATENT	DOCUMENTS				
EXAMINER'S INITIALS	PATENT NO.	DATE	со	UNTRY	CLASS	SUBCLASS	Transl Yes	lation No
-	92/08513	05/29/92	PCT					
	97/25002	07/17/97	PCT					
	97/27898	08/07/97	PCT					
	97/31575	09/04/97	PCT	-				
	98/07399	02/26/98	PCT		٠,			
	98/19618	05/14/98	PCT		\			
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	98/19632	05/14/98	PCT					
	98/19634	05/14/98	PCT					
	98/19636	05/14/98	PCT					
	98/30153	07/16/98	PCT					
	98/42262	10/01/98	PCT					
	98/47430	10/29/98	PCT					·
	98/55027	12/10/98	PCT					
	99/17665	04/15/99	PCT					
	OTHER DOC	UMENTS (In	cluding Author	, Title, Date, Perti	nent Pag	es, Etc.)		
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SHEET 5 OF 5

INFC	RMATION	DISCLO	SURF	ATTORNEY'S DKT N 032405-018	lo.	APPLICATION NO. 09/687,216		
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				FILING DATE		GROUP	20	0, 3
	PTO-1	449		October 12, 2000	)	Unassigned		<del></del>
		U.	S. PATENT DO	OCUMENTS		.01	EMARK OF	
EXAMINER'S INITIALS	PATENT NO.	DATE		NAME	CLASS	SUBCLASS	FILING	DATE
		FOR	EIGN PATENT	DOCUMENTS				
EXAMINER'S							Transl	
INITIALS	PATENT NO.	DATE		UNTRY	CLASS	SUBCLASS	Yes	No
	99/18887	04/22/99	PCT					
	99/21491	05/06/99	PCT					
	99/38441	08/05/99	PCT					
	99/38454	08/05/99	PCT					
	99/45848	09/16/99	PCT					
	99/62406	12/09/99	PCT		Γ.	1-11		
	99/62409	12/09/99	PCT					
	99/63910	12/16/99	PCT .					
	99/65409	12/23/99	PCT		/			
	00/09040	02/24/00	PCT					
	0517252	12/09/92	Europe					
	29713335.7	11/27/97	Germany					
	OTHER DOC	UMENTS (Inc	cluding Author	, Title, Date, Pert	inent Pag	es, Etc.)		
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to applicant.6,